

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

KEVIN CLARKE, ET AL.,	§	NO. 1:24-CV-614-DAE
	§	
Plaintiffs,	§	
	§	
vs.	§	
	§	
COMMODITY FUTURES TRADING	§	
COMMISSION,	§	
	§	
Defendant.	§	
	§	

ORDER FOR NOTICE OR RESPONSE

The matter before the Court is Defendant Commodity Futures Trading Commission's ("CFTC") Motion for Judgment on the Pleadings which seeks, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, that the Court find in favor of Plaintiffs based on the allegations in Plaintiffs' Second Amended Complaint. (Dkt. # 82.) The motion does not indicate whether it is opposed by Plaintiffs and Plaintiffs have not filed a response to the motion. Accordingly, the Court **ORDERS** CFTC to file a supplemental notice which indicates whether the motion is opposed. The Court further **ORDERS** Plaintiffs to file a notice and/or response to the motion which indicates their position. If the motion is unopposed, the Court requests the parties file an agreed proposed order for the Court to

consider. Both parties' notice or response are due **within ten days of the date of this Order.**

IT IS SO ORDERED.

DATED: Austin, Texas, August 13, 2024.

A handwritten signature in blue ink, appearing to read "DAE", is positioned above a horizontal line.

David Alan Ezra
Senior United States District Judge